

III. REMARKS

Claims 1-16 are pending in this application. By this Amendment, claims 1, 6 and 9 have been amended. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-16 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Yoshida-Thompson (U.S. Patent No. 6,801,546 B1), hereafter "Yoshida," in view of Umansky (U.S. Patent No. 7,142,550), hereinafter "Umansky." With regard to the rejection, Applicant asserts that the cited references fail to teach each and every feature of the claimed invention. For example, Applicant submits that the cited references fail to teach or suggest that the receiver converts said electronic mail data converted into said image form back into electronic mail data in the electronic mail format.

Applicants also note that although the Office Action dated August 9, 2007 indicates that the Office has "identified allowable subject matter in the language of claim 3", Applicant understands that the Examiner has stated in a telephone call with Applicant's attorney on December 5, 2007 that this indication was a typographical error. If Applicant's understanding is

incorrect, and the Office has indicated allowable subject matter, Applicant remains willing to discuss a corresponding amendment to the claims, and invites the Examiner to contact Applicant's attorney at the contact number listed below.

With respect to the 35 U.S.C. 103(a) rejection, and addressing the Office's responses to Applicant's arguments, Applicant respectfully disagrees with the Office's assertion that because Umansky allegedly teaches the conversion of an image into an electronic mail format at the sending end, it would be obvious to perform the same technique at the receiving end. Office Action, p. 4. The issue here is not simply the timing of when the claimed invention converts facsimile mail format image into an electronic mail format, but also where the converting occurs. In the claimed invention, a message is converted on the sender's side from an electronic mail format into a facsimile mail format. Then, after transmitting the converted data by fax, the receiver then reconverts the data back to the electronic mail format. In contrast, in Umansky's system, there is only one converting device. The same device first converts an email into fax information, and if a portion of the fax data is not successfully transmitted, that same device reconverts the fax data back into email data for inclusion in a second email message. (Col. 11, lns. 41-48).

Applicant respectfully submits that the system of Umansky (where a device attempts to send information by fax and if unsuccessful, tries again by sending by email) is not equivalent to a system that includes a sender that exclusively sends converted email information by fax, and a receiver that reconverts that information back to email information. Applicant has amended the claims to ensure that the distinction between where the first conversion and the second

reconversion takes place is clear. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With respect to dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

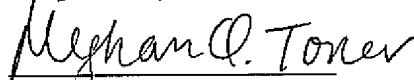
IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Date: December 10, 2007

Respectfully submitted,

A handwritten signature in cursive script that reads "Meghan Q. Toner". The signature is written in dark ink and is positioned above the printed name.

Meghan Q. Toner

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